

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599



EV954013917US)

3-16-07
1637/8
ATTORNEY DOCKET NO. 10050560-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John Wyrick

Serial No.: 10/032,281

Examiner: Jeffrey Norman Fredman

Filing Date: Dec 21, 2001

Group Art Unit: 1637

Title: GENOME WIDE LOCATION AND FUNCTION OF DNA BINDING PROTEINS

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- (a) ☐ Under 37 CFR 1.97(b).
(Within three months of filing national application; or date of entry of national application; or before mailing date of first Office action on the merits; whichever occurs last).
- (b) ☒ Under 37 CFR 1.97(c) together with **either** a:
☐ Statement under 37 CFR 1.97(e), or
☒ \$180.00 fee under 37 CFR 1.17(p).
(After the 37 CFR 1.97(b) time period, but before a final action or notice of allowance, whichever occurs first).
- (c) ☐ Under 37 CFR 1.97(d) together with: a
Statement under 37 CFR 1.97(e), **and**
\$180.00 fee as set forth in 37 CFR 1.17(p).
(After a final action or notice of allowance, whichever occurs first, but before payment of the issue fee).

☐ STATEMENT UNDER 37 CFR 1.97(e)

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☐ PRIOR APPLICATIONS

References identified with an asterisk (*) in the enclosed PTO Form 1449, were disclosed in prior Patent Application No. _____, filed _____, now U.S. Patent No. _____, and, as such, copies thereof are not included pursuant to the provisions of 37 CFR 1.98(d).

☐ FOREIGN LANGUAGE DOCUMENTS

A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

03/19/2007 EEKUBAY1 00000034 501078 10032281

01 FC:1806 180.00 DA

☒ **FEE AUTHORIZATION**

Please charge to Deposit Account **50-1078** the sum of \$180.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

I hereby certify that this correspondence is being deposited with the United States Postal Service as:

☐ First Class Mail

☒ "Express Mail Post office to Addressee" service under 37 CFR 1.10.

Express Mail Label No. EV 954 013 917 US

Date of Deposit: March 14, 2007

In an envelope addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria VA 22313-1450.

OR

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Sandra B. Hunter

Signature: 

Respectfully submitted,

John Wyrick

By 

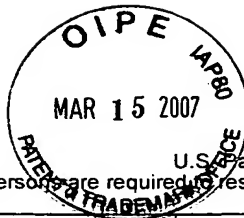
Bret E. Field for John Brady
Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: March 14, 2007

Telephone No. (408) 553-3584

Please type a plus sign (+) inside this box ☐



PTO/SB/8A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/032,281
				Filing Date	December 21, 2001
				First Named Inventor	WYRICK, JOHN
				Group Art Unit	1637
				Examiner Name	Fredman, Jeffrey Norman
Sheet	1	of	2	Attorney Docket Number	10050560-1

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,982,145		Mercola et al.	01-03-2006	
	A2					
	A3					

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Country	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ² (if known)				
	B1	WO	02/14550		PCT	02-21-2002		
	B2	WO	04/053106		PCT	06-24-2004		
	B3	WO	04/087965		PCT	10-14-2004		
	B4	WO	04/097577		PCT	11-11-2004		
	B5	WO	05/054461		PCT	06-16-2005		
	B6							
	B7							

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	C1	BAR-JOSEPH et al., "Computational discovery of gene modules and regulatory networks," Nature Biotechnology, 21(11):1337-1342 (2003)
	C2	BIGLER et al., "Isolation of a Thyroid Hormone-Responsive Gene by Immunoprecipitation of Thyroid Hormone Receptor-DNA Complexes", Molecular and Cellular Biology, 14:7621-7632 (1994)
	C3	BIGLER et al., Novel location and function of a thyroid hormone response element," The EMBO Journal, 14-5710-5723 (1995)
	C4	BOTQUIN et al., "New POU dimer configuration mediates antagonistic control of an osteopontin preimplantation enhancer by Oct-4 and Sox-2," Genes & Development, 12:2073-2090 (1998).
	C5	COHEN-KAMINSKY et al., "Chromatin immunoselection defines a TAL-1 target," The EMBO Journal, 17:5151-5160 (1998)
	C6	DEVEAUX et al., "p45 NF-E2 regulates expression of thromboxane synthase in megakaryocytes," The EMBO Journal, 18:5654-5661 (1997)
	C7	GOULD et al., "Targets of homeotic gene control in Drosophila," Nature 348:308-312 (1990)

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

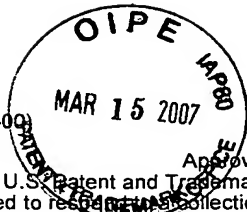
Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box ☐

PTO/SB/8B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/032,281
				Filing Date	December 21, 2001
				First Named Inventor	Wyrick, John
				Group Art Unit	1637
				Examiner Name	Fredman, Jeffrey Norman
Sheet	2	of	2	Attorney Docket Number	10050560-1

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C8	GOULD et al., "Connectin, a target of homeotic gene control in Drosophila," Development 116:1163-1174 (1992)	
	C9	GRABA et al., "Homeotic control in Drosophila; the scabrous gene is an <i>in vivo</i> target of Ultrabithorax proteins," The EMBO Journal 11:3375-3384 (1992)	
	C10	GRABA et al., "DWnt-4, a novel Drosophila Wnt gene acts downstream of homeotic complex genes in the visceral mesoderm," Development 121:209-218	
	C11	GRABA et al., "Drosophila Hox complex downstream targets and the function of Homeotic genes," BioEssays 19(5):379-388	
	C12	GRANDORI et al., "Myc-Max heterodimers activate a DEAD box gene and interact with multiple E box-related sites <i>in vivo</i> ," The EMBO Journal 15:4344-4357 (1996)	
	C13	HALLAHAN et al., "c-jun and Egr-1 Participate in DNA Synthesis and Cell Survival in Response to Ionizing Radiation Exposure," J. Biol Chem. 270(51):30303-30309	
	C14	HARTEMINK et al., "Combining location and expression data for principled discovery of genetic regulatory network models," Proceedings of the Pacific Symposium on Biocomputing, 437-449 (2002)	
	C15	KOHWI-SHIGEMATSU et al., "Identification of Base-Unpairing Region-Binding Proteins and Characterization of Their <i>in Vivo</i> Binding Sequences," Methods of Cell Biology 53:323-354 (1998)	
	C16	Lee et al., "Transcriptional Regulatory Networks in Saccharomyces cerevisiae," Science, 298:799-804 (2002)	
	C17	MUKHERJEE et al., "Rapid analysis of the DNA binding specificities of transcription factors with DNA microarrays," Nature Genetics, 36(12):1331-1339, (2004)	
	C18	NICKERSON et al., "The nuclear matrix revealed by eluting chromatin from a cross-lined nucleus," Proc. Natl. Acad. Sci. USA 94:4446-4450 (1997)	
	C19	ODOM et al., "Control of Pancreas and Liver Gene Expression by HNF Transcription Factors," Science, 303(5662):1378-1381 (2004)	
	C20	ORLANDO et al., Mapping Polycomb-Repressed Domains in the Bithorax Complex Using <i>In Vivo</i> Formaldehyde Cross-Linked Chromatin," Cell, 75:187-198 (1993)	
	C21	ORLANDO et al., "Analysis of Chromatin Structure by <i>In Vivo</i> Formaldehyde Cross-Linking," METHODS: a Companion to Methods in Enzymology, 11:205-214 (1997)	
	C22	PRADEL et al., "From selectors to realizers," Int. J. Dev. Biol. 42:417-421	
	C23	SCHOUTEN, The Journal of Biol. Chem. 260:9929-9935 (1985)	
	C24	SOLOMON et al., "Formaldehyde-Mediated DNA-Protein Crosslinking: A Probe for <i>In Vivo</i> Chromatine Structures," Proc. Natl. Acad. Sci. USA 82:6470-6474 (October 1985)	
	C25	TOMOTSUNE, "A mouse homologue of the Drosophila tumour-suppressor gene 1(2)gl controlled by Hox-C8 <i>In vivo</i> ," Nature 366:69-72	
	C26	WALTER et al., "Measurement of <i>In Vivo</i> DNA Binding by Sequence-Specific Transcription Factors Using UV Cross-Linking," METHODS: a Companion to Methods in Enzymology 11:215-224 (1997)	
	C27	WEINMANN et al., "Isolating human transcription factor targets by coupling chromatin immunoprecipitation and CpG island microarray analysis," Genes & Development, 16:235-244, (2002)	
	C28	WYRICK et al., "Deciphering gene expression regulatory networks," Current Opinion in Genetics and Development, 12:130-136, (2002)	
Examiner Signature			Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
1091347_1.DOC